

RECEIVED
Crow Creek Agency
Fort Thompson, SD

JUN 01 2017

CROW CREEK SIOUX TRIBAL RESOLUTION



NUMBER: CC-17-05-12-02

SUBJECT: LIFELINE TELECOMMUNICATIONS
SERVICE

- WHEREAS: THE CROW CREEK SIOUX TRIBAL COUNCIL IS THE OFFICIAL AND GOVERNING BODY OF AND FOR THE CROW CREEK SIOUX RESERVATION; AND,
- WHEREAS: UNDER THE CONSTITUTION AND BY-LAWS OF THE CROW CREEK SIOUX TRIBE, THE TRIBAL COUNCIL IS EMPOWERED AND AUTHORIZED TO ENACT RESOLUTIONS AND ORDINANCES GOVERNING THE MANAGEMENT OF ALL ECONOMIC AND EDUCATIONAL AFFAIRS AND ENTERPRISES OF THE TRIBE; AND,
- WHEREAS: THE CROW CREEK SIOUX TRIBAL COUNCIL HAS THE AUTHORITY AND RESPONSIBILITY TO OVERSEE ALL TRIBAL MATTERS ON THE CROW CREEK INDIAN RESERVATION; AND,
- WHEREAS: THE CROW CREEK SIOUX TRIBE IS A FEDERALLY RECOGNIZED INDIAN TRIBE LOCATED IN ONE OF THE MOST IMPOVERISHED AREAS IN THE UNITED STATES COMPRISING BUFFALO, HUGHES, AND HYDE COUNTIES; AND,
- WHEREAS: RESIDENTS OF THE CROW CREEK SIOUX INDIAN RESERVATION HAVE LIMITED ACCESS TO ESSENTIAL SERVICES, SUCH AS LIFELINE SERVICE, DUE TO NO WIRELESS LIFELINE PROVIDERS SERVING THE RESERVATION (WESTERN WIRELESS WAS A LIFELINE SERVICE PROVIDER ON THE RESERVATION, BUT WAS ACQUIRED BY VERIZON WIRELESS, WHO HAD NO INTEREST IN SERVING THIS MARKET AND RELINQUISHED ITS ELIGIBILITY); AND,
- WHEREAS: THE FEDERAL GOVERNMENT HAS A FUDICIARY OBLIGATION TO PROTECT TRIBAL TREATY RIGHTS, LANDS, ASSETS, AND RESOURCES, AS WELL AS A DUTY TO CARRY OUT THE MANDATES OF FEDERAL LAW WITH RESPECT TO AMERICAN INDIAN AND ALASKA NATIVE TRIBES AND VILLAGES (SEMINOLE NATION v. UNITED STATES, 1942); AND,
- WHEREAS: THE FEDERAL COMMUNICATION COMMISSION (FCC) HAS RECOGNIZED ITS OWN GENERAL TRUST RELATIONSHIP WITH, AND RESPONSIBILITY TO, FEDERALLY RECOGNIZED INDIAN TRIBES (POLICY STATEMENT, FCC 00-207); AND,
- WHEREAS: THE FCC HAS ESTABLISHED UNIVERSAL SERVICE PROGRAMS, SUCH AS THE ENHANCED LIFELINE PROGRAM AND THE TRIBAL MOBILITY FUND (FCC TRIBAL PROGRAMS), AIMED AT MAKING ESSENTIAL TELEPHONE AND BROADBAND SERVICES AVAILABLE AND AFFORDABLE ON TRIBAL LANDS; AND,
- WHEREAS: THE CROW CREEK SIOUX TRIBE HAS, ON ITS OWN, UNDERTAKEN SIGNIFICANT EFFORTS TO SPUR ECONOMIC AND EDUCATIONAL DEVELOPMENT ON THE CROW CREEK SIOUX INDIAN RESERVATION BY, AMONG OTHER INITIATIVES, ESTABLISHING A TRIBALLY OWNED TELECOMMUNICATIONS COMPANY, OPENING AN INTERNET LIBRARY AND TECHNOLOGY CENTER, SECURING ELIGIBILITY FOR GOVERNMENT CONTRACTS UNDER THE HISTORICALLY UNDERUTILIZED BUSINESS ZONE (HUBZONE) PROGRAM, AND MAKING NATIVE AMERICAN PROGRAMMING AVAILABLE, FOR THE FIRST TIME, ON THE RESERVATION THROUGH A NEW TRIBAL RADIO STATION; AND,
- WHEREAS: THE CONTINUED ABILITY OF THE CROW CREEK SIOUX TRIBE TO SPUR ECONOMIC DEVELOPMENT ON THE CROW CREEK SIOUX INDIAN RESERVATION IS DEPENDENT, IN PART, ON FEDERAL GOVERNMENT INITIATIVES, LIKE THE FCC TRIBAL PROGRAMS, WHICH NEED TO BE EXPANDED TO ENSURE TRIBAL RESIDENTS ARE NOT LEFT BEHIND; AND,

NOW THEREFORE BE IT RESOLVED: THAT THE CROW CREEK SIOUX TRIBAL COUNCIL ASSEMBLED IN SPECIAL SESSION THIS 12TH DAY OF MAY 2017 DOES HEREBY URGES CONGRESS AND THE FCC TO TAKE ACTIONS TO ENSURE THAT NATIVE AMERICANS - AMERICA'S FIRST AMERICANS - ARE ABLE TO OBTAIN ACCESS TO AFFORDABLE TELEPHONE AND ADVANCED BROADBAND SERVICES BY:

1. PROTECTING TRIBAL SOVEREIGNTY;
2. ESTABLISHING NEW TRIBAL PROGRAMS, LIKE THE TRIBAL MOBILITY FUND AND HIGH-COST UNIVERSAL SERVICE FUNDING FOR WIRELINE CARRIERS, TARGETED AT THE NEEDS OF RESIDENTS OF RURAL AND IMPOVERISHED TRIBAL LANDS;
3. MAINTAINING THE ENHANCED TRIBAL LIFELINE PROGRAM TO ENABLE RESIDENTS OF TRIBAL LANDS TO REALIZE THE BENEFITS OF ACCESS TO AFFORDABLE TELEPHONE AND BROADBAND SERVICES;
4. MAINTAINING CRITICAL ELEMENTS OF THE LIFELINE PROGRAM, SUCH AS SUPPORT FOR BROADBAND SERVICES AND NO MONTHLY SERVICE FEES; AND,
5. ENCOURAGING COMPANIES THAT ARE CRITICAL TO THE ADVANCEMENT OF LIFELINE SERVICE, LIKE TRACFONE WIRELESS, TO SERVE TRIBAL LANDS BY ESTABLISHING AN EXPEDITED PROCESS OF DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIERS (ETCS).

MOTION: T. GREY OWL

SECOND: F. MIDDLETENT

VOTE: 10 FOR:
0 ABSENT:
0 AGAINST:

(K. KIRKIE, T. GREY OWL, R. HAWK, F. MIDDLETENT, J. FALLIS & G. PICKNER)

ALSO PRESENT: TRIBAL CHAIRMAN BRANDON SAZUE, SR., CHAIRING THE MEETING

CERTIFICATION

THIS FOREGOING RESOLUTION WAS DULY ADOPTED BY THE CROW CREEK SIOUX TRIBAL COUNCIL ON THE 12TH DAY OF MAY 2017 IN A SPECIAL SESSION BY A VOTE OF 10 FOR 0 AGAINST 0 ABSENT 0 NOT VOTING FOR THE CROW CREEK SIOUX TRIBE, PURSUANT TO AUTHORITY VESTED IN IT BY ARTICLE VI, SECTION 1 OF THE CONSTITUTION OF THE TRIBE, RATIFIED BY THE TRIBE ON MARCH 11, 1949 AND APPROVED BY THE SECRETARY OF THE INTERIOR ON APRIL 26, 1949 AND WITH AMENDMENTS APPROVED BY THE COMMISSIONER OF INDIAN AFFAIRS ON JUNE 22, 1961, FEBRUARY 25, 1963 AND BY THE AREA DIRECTOR ON JUNE 23, 1980 AND FEBRUARY 4, 1986.

ATTEST:

B. L. S. Sr.
TRIBAL CHAIRMAN-BRANDON J SAZUE SR

Tina M Grey Owl
TRIBAL SECRETARY-TINA M GREY OWL

PREPARED BY: C. A. Obagou
RECORDING SECRETARY - CHRISTINE OBAGOU